



**CONSULATE GENERAL OF THE  
United States of America  
Mumbai**

**LABOR CONTRACT INFORMATION AND EMPLOYER OBLIGATIONS**

Domestic employees applying for visas to accompany their employers to the U.S. are required to demonstrate strong ties to a residence outside the United States to which they will be compelled to return.

United States immigration law and federal regulations require that all nonimmigrant visa holders intending to bring personal employees to the United States provide the employee with a contract, signed by the employer and employee, ensuring all employee rights and privileges as guaranteed under the Fair Labor Standards Act (FLSA). The contract should be signed by the domestic employee and the employer stating clearly the salary that the domestic employee will receive while in the U.S. Please visit the Department of Labor's Online Wage Library for details prevailing wage in the state the employee visits. If the employee does not understand English, the employer is also responsible for providing a certified translation of this contract in the employee's native language (9 FAM 41.22 N4).

During the visa interview, employees will be expected to discuss their work history and their current terms of employment. Each applicant must present a signed, dated employment contract.

**Note:** the sponsor must guarantee in writing that the domestic employee will receive the minimum wage per hour. The contract must also specify a provision for overtime (150% of normal wages) should the domestic employee work more than 40 hours a week. The employee must receive a compensation for all hours spent on the premises of the sponsor.

**Information needed in all domestic employee contracts (must be included in actual contract)**

Date

Name of sponsor

Nationality of sponsor

Name of domestic employee

Nationality of domestic employee

Date domestic employee began working for present employer

Duties of the domestic employee while in the U.S.

Daily work hours, day(s) off each week, and salary per month while in the U.S.

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**Other stipulations required in all domestic employee contracts**

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The sponsor agrees to abide by all United States federal and state labor and tax laws. The sponsor may be responsible for the withholding and payment of Social Security taxes on behalf of the domestic employee, and may be required to file a US tax return. The sponsor is required to provide sick leave and vacation leave to the employee. The sponsor agrees not to withhold the passport of the employee.

The sponsor confirms that either (a) the domestic employee signing below has been in the employ of the sponsor for more than one year, or (b) the sponsor has employed other employees in the same position as that held by the employee below for a period of XX years.

The sponsor agrees to provide the domestic employee with transportation, food, and accommodation in addition to salary. The sponsor is also responsible for the employee's medical expenses while in the U.S.

The employee agrees to work only for the sponsor while in the United States and to depart the United States with the sponsor at the conclusion of the trip.

The sponsor agrees to compensate the employee for time the employee is required to remain on premises after hours. The employee retains the right to leave the premises when not on duty.

The contract must be signed and dated by the sponsor and the employee.